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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

AUG 11 2005

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August 11, 2005

**FACSIMILE COVER SHEET**

To: Examiner Cong-Lac T. Huynh  
Art Unit 2178  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 571-273-8300

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of Facsimile  
Transmission and Authorization to Charge  
Deposit Account 23-3000 in the amount of  
\$120.00 for One-Month Extension of Time  
Fees (2 pages)  
Amendment and Response (20 pages)

From: Scott A. Stinebruner  
Reg. No. 38,323

Re: U.S. Patent Application  
Serial No. 09/751,574  
Filed: December 29, 2000  
Applicant: Cary Lee Bates et al.  
Art Unit: 2178  
Confirmation No.: 8366  
Our Ref: IBM/166

Pages: 23 (including cover sheet)

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**MESSAGE/COMMENTS  
OFFICIAL**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (23 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Cong-Lac T. Huynh, Art Unit 2178, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 571-273-8300 on August 11, 2005.

*Judith L. Volk*  
Judith L. Volk

*August 11, 2005*  
Date

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**PATENT**  
 Atty Docket No. IBM/166/124  
 Confirmation No. 8366

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (23 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Comg-Lac T. Huynh, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 571-273-8300 on August 11, 2005.

*Judith L. Volk*  
 Judith L. Volk

*August 11, 2005*  
 Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Cary Lee Bates et al.	Art Unit:	2178
Serial No.:	09/751,574	Examiner:	Comg-Lac T. Huynh
Filed :	December 29, 2000		
For :	AUTOMATED SPELL ANALYSIS		

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1.  **Transmitted herewith is an Amendment and Response.**
2.  Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
 Enclosed is a verified statement to establish Small Entity status  
 **Other than a Small Entity**

**3. The fee has been calculated as shown below:**

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	43	minus	43	0	\$50	\$0.00
Independent Claims	7	minus	7	0	\$200	\$0.00
<b>MULTIPLE DEPENDENT CLAIM FEE</b>					\$36Q	\$0.00
<b>TOTAL FEE FOR CLAIMS:</b>						<b>\$0.00</b>

**No additional fee for claims is required.**

08/12/2005 NNGUYEN1 00000009 233000 09751574

01 FC:1251 120.00 DA

Page 1 of 2  
 Serial No. 09/751,574  
 Transmittal for Amendment of August 11, 2005  
 IBM Docket: ROC920000191  
 WH&E IBM/166

4.  Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
 Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$1,590.00	\$ 795.00
<input type="checkbox"/> five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

**\$ 120.00**

**Method of Payment: Please charge Deposit Account 23-3000 in the amount of \$ 120.00**

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

*OR*

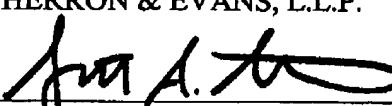
(b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6.  If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

  
 Scott A. Stinebruner  
 Reg. No. 38,323

2700 Carew Tower  
 441 Vine Street  
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 Facsimile: (513) 241-6234

Enclosed:

Fax Cover Sheet containing Certificate of Facsimile Transmission (1 page)  
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AUG 11 2005

IBM/166

Confirmation No. 8366

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Cary Lee Bates et al.  
 Serial No.: 09/751,574  
 Filed: December 29, 2000  
 For: AUTOMATED SPELL ANALYSIS

Art Unit: 2178  
 Examiner: Comg-Lac T. Huynh  
 Atty. Docket No.: IBM/166

**AMENDMENT AND RESPONSE**

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated April 11, 2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 10 of this paper.

Page 1 of 20  
 Serial No. 09/751,574  
 Amendment and Response dated August 11, 2005  
 Reply to Office Action of April 11, 2005  
 IBM Docket ROC920000191  
 WH&E IBM/166  
 K:\ibm\166\Amendment and Response re 4-11-05 OA.wpd